

**AN ORDINANCE**

**01-0 -1347**

**BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE TO CREATE THE CENTENNIAL PLACE CUPOLA BUILDING COMMERCIAL ENTERPRISE ZONE; AND FOR OTHER PURPOSES**

**WHEREAS**, an amendment to the Constitution of the State of Georgia was adopted by referendum in November 1982 giving the Council of the City of Atlanta power to create urban enterprise zones in the City of Atlanta; and

**WHEREAS**, enabling legislation known as the Atlanta/Fulton County Urban Enterprise Zone Act was enacted by the Georgia General Assembly and signed by the Governor in March 1983 and subsequently amended; and

**WHEREAS**, the Atlanta/Fulton County Urban Enterprise Zone Act gives the Council of the City of Atlanta authority to designate areas within the City as urban enterprise zones for housing purposes if certain conditions are met; and

**WHEREAS**, designation of a Commercial Enterprise Zone exempts the taxable value of property within the zone only from ad valorem taxes for City purposes, but the Board of Commissioners of Fulton County, by appropriate resolution, may exempt from ad valorem taxation for County purposes the taxable value of the same property exempted by the City; and

**WHEREAS**, types of property may be exempted, conditions must be met by owners of private property to qualify for an exemption, period and rate of exemptions, and elections may be made by the Atlanta City Council among various types of exemptions which are specified by State law; and

**WHEREAS**, State law provides that an exemption from ad valorem taxation for City purposes also includes, but is not limited to, school and educational purposes; and

**WHEREAS**, the City of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

**WHEREAS**, it is the expressed intent of the Atlanta City Council to use urban enterprise zone legislation as an incentive to generate private investment in areas of the City which otherwise might not attract such investments for housing construction and job creation purposes; and

**WHEREAS**, the conditions and qualifications of the Atlanta Urban Enterprise Zone Act, as amended, have been met relative to the creation of The Centennial Place Cupola Building Commercial Enterprise Zone;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:**

**Section 1:** It is found by the Council of the City of Atlanta that the area in and around the Techwood Drive area, location of the Centennial Place Cupola Building Commercial Enterprise Zone is economically and socially depressed. It is further found that areas such as this contribute to or cause unemployment, create an inordinate demand for public services and, in general, have a deleterious effect on the public health, safety, welfare and morals. It is further found that these areas, as is the case with the Techwood Drive area are characterized by no investment or under-investment by private enterprise in ventures which produce jobs, trade, provision of services, and economic activities which individually and together contribute to a healthy society. This lack of private investment and activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that such private enterprise place priority upon the employment of those residents in those economically and socially depressed areas designated herein as urban enterprise zones.

**Section 2:** The Centennial Place Cupola Building Commercial Enterprise Zone is hereby created. The effective date of all exemptions established therein shall be January 1, 2002. The Centennial Place Cupola Building Commercial Enterprise Zone shall be expired on December 31, 2011. The Centennial Place Cupola Building Commercial Enterprise Zone shall otherwise not be abolished except as provided in State law. A legal description of The Centennial Place Cupola Building Commercial Enterprise Zone is attached hereto as "Exhibit A", and made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

**Section 3:** The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of The Centennial Place Cupola Building Commercial Enterprise Zone to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the Atlanta Board of Education immediately upon approval by the Mayor of the City of Atlanta.

**Section 5:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

## Exhibit A

Proposed Centennial Place Cupola  
Building Commercial Enterprise Zone

### LEGAL DESCRIPTION

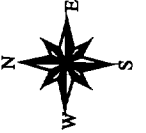
#### TO FIND THE TRUE POINT OF BEGINNING OF THE LINE

commence at the point of intersection of the northerly right of way line of Mills Street with the easterly right of way line of Techwood Drive; running thence N 88 28 44 E a distance of 393.93 feet to a point; thence N 00 07 50 W a distance of 168.49 feet to a point, said point also being the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING as thus established, run thence northerly 31.87 feet along the arc of a curve to the left (said curve having a radius of 20.00 feet and a chord distance of 28.61 feet on a bearing on N 45 50 53 W) to a point; thence S 88 29 44 W a distance of 15.84 feet to a point; thence N 01 30 15 W a distance of 61.94 feet to a point; thence northerly 10.14 feet along the arc of a curve to the left (said curve having a radius of 20.00 feet and a chord distance of 10.03 feet on a bearing of N 13 52 28 W) to a point; thence northerly 153.28 feet along the arc of a curve to the right (said curve having a radius of 383.77 feet and a chord distance of 152.26 feet on a bearing of N 16 57 16 W) to a point; thence N 04 12 24 W a distance of 69.11 feet to a point; thence N 01 23 38 W a distance of 429.61 feet to a point; thence N 00 03 23 E a distance of 222.88 feet to a point; thence N 89 09 22 E a distance of 28.58 feet to a point; thence southerly 236.68 feet along the arc of a curve to the right (said curve having a radius of 3743.06 feet and a chord distance of 236.64 feet on a bearing of S 08 50 38 E) to a point; thence southerly 365.55 feet along the arc of a curve to the right (said curve having a radius of 1990.00 feet and a chord distance of 365.04 feet on a bearing of S 05 23 35 E) to a point; thence S 00 07 50 E a distance of 891.02 back to the TRUE POINT OF BEGINNING.

**Exhibit B**  
**Project Location Map**

Proposed Centennial Place Cupola  
Building Commercial Enterprise Zone

Map-m-streets  
Map-m-parcels



**CENTENNIAL PLACE/CUPOLA BLDG**

**Exhibit C**  
**Acknowledgement Letter**

Proposed Centennial Place Cupola  
Building Commercial Enterprise Zone



**CITY OF ATLANTA**

DEPARTMENT OF PLANNING, DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

68 MITCHELL STREET, S.W. SUITE 3350 • ATLANTA, GEORGIA 30335-0308

404-330-6145 • FAX: 404-658-7491

BILL CAMPBELL  
MAYOR

MICHAEL A. DOBBINS  
Commissioner

TIM POLK  
Deputy Commissioner

ROBERT C. GRAY  
Director

Bureau of Planning

July 3, 2001

Alrich Lynch  
The Integral Partnership of Atlanta  
60 Piedmont Avenue, 1<sup>st</sup> Floor  
Atlanta, Georgia 30303

Dear Mr. Lynch:

We have received your application for designation of the Centennial Place Community Building as a Commercial Enterprise Zone. Our staff is currently reviewing the application with regard to the City's criteria for urban enterprise zone designation.

We have scheduled a presentation of the application to Neighborhood Planning Unit M on Monday, July 23, 2001 at 6:30 p.m. at the M.L. King, Jr. Visitor's Center, located at 450 Auburn Avenue, NE. The chair of NPU - M is Mr. David Patton, who may be reached at (404) 522-2596. Please be present at the NPU - M meeting to briefly present your proposal and to answer any questions regarding your application.

Additionally, the Community Development and Human Resources Committee of the Atlanta City Council will hold a public hearing on your application on Tuesday, September 25, 2001 at 6:00 p.m. in the Council Chambers at City Hall. Please be present at the hearing to briefly present your proposal and to answer any questions regarding this application.

Should you require any further information, please contact Sara Wade Hicks at (404) 330-6728 or Valerie Bell-Smith at (404) 330-6899.

Sincerely,

*Robert Gray*

Robert Gray

cc: Michael Dobbins, Commissioner  
Tim Polk, Deputy Commissioner  
Sara Wade Hicks, Assistant Director  
Enrique Bascunana, NPU - M Planner

RG/vbs

## EVALUATION OF PROPOSED CENTENNIAL PLACE CUPOLA BUILDING COMMERCIAL ENTERPRISE ZONE

Criterion	Required	Proposed	Compliance
1. Eligibility Criteria a. Evidence of Pervasive Poverty b. Unemployment c. General Distress (High Crime or Vacant/Abandoned Buildings) d. Underdevelopment	Area must meet 3 out of 4 Criteria a. Poverty rate of $\geq 20\%$ b. Census tract job loss $\geq 10\%$ of State Average c. High Crime or Vacant/Abandoned Buildings d. Lack of development activity $< 20\%$ for NPU as compared to the city as a whole	a. Poverty rate of $\geq 30\%$ for CT 20 BG 1 b. 12.9% c. 14% Non-Residential Building Permits for NPU-M	√
2. Acreage	None	1.165 Acres	√
3. CDP Consistency	CDP Land Use Classification Medium Density Residential F.A.R. .350 - .699	Low Density Residential F.A.R. = .308	√
4. Zoning Compliance	Current Zoning Classification C-4-C	C-4-C	√
5. Project Specificity	Project Specific Zone or $\geq 50\%$ of Areawide Zone	Project Specific	√
6. Project Readiness	$\geq 30\%$ of Units to be Initiated in Year 1	$\geq 30\%$ or more of project will be complete in the first year	√
7. Non-Displacement	Minimum Displacement	None	√
8. Provision for Targeting of Jobs to Residents within the Zone	Jobs within the zone will be targeted for residents within the zone	Proposes to comply	√
9. Financial Feasibility	a. negative cash flow, or b. debt coverage ratio $< 1.20$ , or c. a variable-ratio DCR equivalent to said fixed-rate ratio, based upon reasonable assumptions as certified		TBD

### Exhibit D Evaluation Checklist

Proposed Centennial Place Cupola Building  
Commercial Enterprise Zone

## Exhibit E

# 2001 HUD Income Limits/Affordability

<b>FAMILY SIZE</b> (% OF BASE)	<b>INCOME</b> <b>ADJUSTMENT</b>	<b>LIVING</b> <b>ACOMODATIONS</b> <b>EXPENSES (&lt;30%)</b>	<b>MAXIMUM</b> <b>RENTS</b>
1 PERSON (70%)	\$27,930.00	\$8,379	\$698
2 PERSON (80%)	\$31,920.00	\$9,576	\$798
3 PERSON (90%)	\$35,910.00	\$10,773	\$898
4 PERSONS - BASE	\$39,900.00	\$11,970	\$998
5 PERSONS (108%)	\$43,092.00	\$12,928	\$1,077
6 PERSONS (116%)	\$46,284.00	\$13,885	\$1,157
7 PERSONS (124%)	\$49,476.00	\$14,843	\$1,237
8 PERSONS (132%)	\$52,668.00	\$15,800	\$1,317

**Maximum Sales Price \$146,300**  
(2.2 Rule / 2.2 times the Median Income)

ASSUMPTIONS:

Median Income \$66,500 - SMSA

Rent Range is Determined by the Number of Rooms Per Unit and the Atlanta Housing Code Maximum Allowable

Persons per Room - 2; A Two-Bedroom Apartment Unit Could Not House More Than a Four Person Household.

RCS# 3145  
10/01/01  
2:34 PM

Atlanta City Council

Regular Session

MULTIPLE                      01-O-1334; 01-O-1338; 01-O-1341;  
                                    01-O-1347; 01-O-0493  
  FILE

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 1

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	NV Muller	NV Boazman	NV Pitts

MULTIPLE



01-0-1347

(Do Not Write Above This Line)

AN ORDINANCE

BY COMMUNITY DEVELOPMENT & HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE THE CENTENNIAL PLACE CUPOLA BUILDING COMMERCIAL ENTERPRISE ZONE; AND FOR OTHER PURPOSES.

FILED BY  
CITY COUNCIL

OCT 01 2001

- ☒ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER

Date Referred 9/17/01  
Referred To: Community Development / Human Resources

First Reading

Committee  
Date  
Chair

CO/MC  
9/17/01  
Shirley A. Mason

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

"Shirley" Mason  
Shirley A. Mason  
Shirley A. Mason  
Shirley A. Mason

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
OCT 1 2001

ATLANTA CITY COUNCIL PRESIDENT

James A. Parker

CERTIFIED  
OCT 01 2001

DEPUTY MUNICIPAL CLERK

Paula

MAYOR'S ACTION